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Nigel D Young

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24504

7590

06/04/2010

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EXAMINER

HOLLWEG, THOMAS A

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/534,321	<b>Applicant(s)</b> YOUNG, NIGEL D	
	<b>Examiner</b> Thomas A. Hollweg	<b>Art Unit</b> 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14, 16, 17, 20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14, 16, 17, 20 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 April 2010 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 29, 2010, has been entered. No claims are added or canceled. Claims 1-14, 16, 17, 20 and 21 are currently pending.

2. The errors giving rise to the previous claim objections have been corrected. The previous claim objections have therefore been withdrawn.

### ***Drawings***

3. The replacement sheets submitted on April 29, 2010, are not entered. Replacement sheet 6 of 6, showing figures 6 and 7, contains changes which overcome errors in the drawings, first identified in the Office Action of January 9, 2008. However, replacement sheet 3 of 6, showing figure 4, contains changes which raise new errors. Namely, numbers 18-1 and 18-2 have been changed to 22. While it would not be in error to change number 18-1 to 22, it is in error to change 18-2 to 22, because this would make figure 4 inconsistent with figures 5D and 5E. Therefore, the new replacement sheets are not entered. If only a single replacement sheet showing newly submitted figures 6 and 7 (with the number 22) were again submitted, this replacement sheet would be accepted.

4. The original drawings, submitted on May 9, 2005, are the drawings of record.

They contain an error in both figures 6 and 7, whereby recess 22 is mislabeled 21. This error was first objected to in the Office Action of January 9, 2008. The replacement sheets submitted October 16, 2008 (changing figures 5D and 5E), those submitted March 16, 2009 (changing figures 5D and 5E), those submitted June 29, 2009 (changing figures 4, 6 and 7), those submitted April 9, 2010, (showing figures 1-4, 5D, 5E, 6 and 7, but only changing 4, 6 and 7), and those submitted April 29, 2010 (showing figures 1-4, 5D, 5E, 6 and 7, but only changing 4, 6 and 7), have all not been entered.

5. The only change required is to replace the 21 with a 22 in both figures 6 and 7. No other figures require changes. If the Applicant chooses to make changes to any figure aside from figures 6 and 7, the Examiner suggests that those changes do not create inconsistencies or errors and that the changes do not create conflict with descriptions of the figures in the specification.

6. Only a corrected drawing sheet (showing only figures 6 and 7) in compliance with 37 CFR 1.121(d) is required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be

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necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

7. The following claims are objected to because of the following informalities:
- a. Claim 2, the "first, underlying electrode" lacks antecedent basis.
  - b. Claim 6, "the first underlying electrode layer" of the second light emissive structure lacks antecedent basis.
  - c. Claim 12, "the first underlying electrode" and "the underlying region" lack antecedent basis.
  - d. Claim 21, the limitation "wherein an area of the organic light emissive material underlying the second electrode electrically conductive" appears to be missing an "is".

### ***Claim Rejections - 35 USC § 112, First Paragraph***

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 20 and 21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter

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which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

10. Amended claims 20 and 21 both recite "for a second light emissive structure, a first electrode layer underlying an organic light emissive material is connected to the electrically conductive region underlying the first light emissive structure in said second recess". This limitation claims a second light emissive structure that is in the second recess. The original figures and disclosure show only light emissive structures in the first, third and fifth recesses, see figures 4, 5D and 5E. Therefore a second light emissive structure in the second recess is not contained in the original disclosure.

***Claim Rejections - 35 USC § 112, Second Paragraph***

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 20 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

13. Amended claims 20 and 21 both recite "the first light emissive structure comprising: an organic light emissive material; a first electrode layer underlying the organic light emissive material; a second electrode layer overlying the organic light emissive material... wherein the first and second electrode layers are adapted to supply charge carriers into the organic light emissive material to cause the organic light emissive material to emit light" and "wherein for the first light emissive structure, the

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second electrode layer overlying to organic light emissive structure material is connected to the first electrode layer underlying to organic light emissive material". It is unclear how these two limitations are present in the device at the same time. The only reasonable explanation is that "connected to" of the second recited limitation means "adapted to supply charge carriers..." of the first recited limitation.

14. Also, the second recited limitation "wherein for the first light emissive structure, the second electrode layer overlying to organic light emissive structure material is connected to the first electrode layer underlying to organic light emissive material" describes only the first light emissive structure, yet is in a clause of the claim describing "a second light emissive structure". It is unclear how this recited limitation helps to define the second light emissive structure.

15. Further, claim 20 is a method claim, reciting specific steps. The assumption is that the steps are performed on the recited order. Therefore, it is unclear how "the first and second light emissive structures are electrically connected in series" before "electrically connecting the second electrode to the electrically conductive region". It would seem the connection should be made before the structures are connected in series.

### ***Claim Rejections - 35 USC § 102***

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**17. Claims 1, 2, 9, 16 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Kobayashi et al., U.S. Patent Application Publication No. 2002/0158835 A1.**

18. **With regard to claim 1**, in figure 3, Kobayashi ('835) discloses an electroluminescent device comprising a substrate (101), a support layer (120) having a plurality of recesses, a light emissive structure (P) on the substrate (101), the light emissive structure (P) comprising organic light emissive material (121) disposed between first (117) and second (122) electrode layers for supplying charge carriers into the organic light emissive material (121) to cause it to emit light, the first (117) and second (122) electrode layers respectively underlying and overlying the organic light emissive material (121) in a first recess of the plurality of recesses, and an electrically conductive region (118) underlying the light emissive structure (P) in a second recess of the plurality of recesses, the second electrode layer (122) and the electrically conductive region (118) being in electrical connection through the thickness of the organic light emissive material [0044-0048].

19. It is noted that claim limitation, "an electrically conductive region underlying the light emissive structure," is interpreted consistent with the disclosure. Specifically, in at least figure 4, the light emissive structure (12-1/16-1/17-1) and the electrically conductive region (12-2) are disposed on the same level. Therefore, the electrically conductive region (12-2) will be interpreted as "underlying" the light emissive structure



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(12-1/16-1/17-1) as long as it underlying at least some part of the light emissive structure (12-1/16-1/17-1).

20. **With regard to claim 2**, in figure 3, Kobayashi ('835) discloses that the electroluminescent device further includes a transistor (SW2) on the substrate (101) having its source drain path connected to the first, underlying electrode (117) for controlling current flowing through the light emissive structure (P) [0044].

21. **With regard to claim 9**, in figure 3, Kobayashi ('835) discloses a method of fabricating electroluminescent device comprising forming a support layer (120) having a plurality of recesses on a substrate (101) and fabricating a light emissive structure (P) on the substrate (101), the light emissive structure (P) comprising organic light emissive material (121) disposed between first (117) and second (122) electrode layers for supplying charge carriers into the organic light emissive material (121) to cause it to emit light, the first (117) and second (122) electrode layers respectively underlying and overlying the organic light emissive material (121) in a first recess of the plurality of recesses, and an electrically conductive region (118) underlying the light emissive structure (P) in a second recess of the plurality of recesses, and forming an electrical connection between the second electrode layer (122) and the electrically conductive region (118) through the thickness of the organic light emissive material [0044-0048, 0063-0081].

22. It is noted that claim limitation, "an electrically conductive region underlying the light emissive structure," is interpreted consistent with the disclosure. Specifically, in at least figure 4, the light emissive structure (12-1/16-1/17-1) and the electrically

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conductive region (12-2) are disposed on the same level. Therefore, the electrically conductive region (12-2) will be interpreted as "underlying" the light emissive structure (12-1/16-1/17-1) as long as it underlying at least some part of the light emissive structure (12-1/16-1/17-1).

23. **With regard to claim 16**, in figure 3, Kobayashi ('835) discloses that the device fabricated by a method as claimed in claim 9, as described in the rejection of claim 9.

24. **With regard to claim 17**, in figure 1, Kobayashi ('835), further discloses a matrix of said light emissive structures configured on said substrate [0040-0042].

***Claim Rejections - 35 USC § 103***

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. **Claims 3 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi ('835) as applied to claims 1 and 9 above, in view of Shimoda et al., U.S. Patent Application Publication No. 2002/0041149 A1**

27. **With regard to claim 3**, all of the limitations of claim 3 are disclosed by Kobayashi ('835), including, in figure 3, the second electrode (122) extends transversely through the thickness of the organic light emissive material (121) and is electrically connected to the underlying conductive region (118).

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28. Kobayashi ('835) does not expressly disclose that the underlying conductive region has been treated in an area thereof in such a way as to repel the organic light emissive material.

29. Shimoda, in figure 1D, teaches a means of treating areas in such a way as to repel organic light emissive material, so that the material is only formed in the intended areas [0040].

30. At the time of invention, it would have been obvious for a person having ordinary skill in the art to construct the Kobayashi ('835) device where the underlying conductive region has been treated in an area thereof in such a way as to repel the organic light emissive material, as taught by Shimoda, so that the second electrode extends transversely through the thickness of the organic light emissive material and is electrically connected to the underlying conductive region in said treated area so that during construction of the device organic material does not collect in the underlying conductive region and a good connection is made with the second electrode.

31. **With regard to claim 10**, Kobayashi ('835) discloses all of the limitations including fabricating the second electrode so as to extend transversely through the thickness of the organic light emissive material and being electrically connected to the electrically conductive region. However, it does not expressly disclose that a method of treating the electrically conductive region in an area thereof in such a way as to repel the organic light emissive material.

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32. Shimoda, in figure 1D, teaches a means of treating areas in such a way as to repel organic light emissive material, so that the material is only formed in the intended areas [0040].

33. At the time of invention, it would have been obvious for a person having ordinary skill in the art to construct the Kobayashi ('835) device using a method of treating the electrically conductive region in an area thereof in such a way as to repel the organic light emissive material, as taught by Shimoda, and fabricating the second electrode so as to extend transversely through the thickness of the organic light emissive material and being electrically connected to the electrically conductive region in said treated area.

34. **With regard to claim 11**, Kobayashi ('835) discloses all of the limitations, except it does not expressly disclose coating the electrically conductive region with a material that is repellent to the light emissive material.

35. Shimoda, in figure 1D, teaches a means of coating areas with a material that is repellent to the light emissive material [0040].

36. At the time of invention, it would have been obvious for a person having ordinary skill in the art to construct the Kobayashi ('835) device by coating areas with a material that is repellent to the light emissive material, as taught by Shimoda.

37. **With regard to claim 12**, Kobayashi ('835) discloses all of the limitations, except it does not expressly disclose applying the coating to said first underlying electrode and to the underlying region and selectively removing portions of the repellent coating on the first underlying electrode.

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38. Shimoda, in figure 1D, teaches a means of coating areas with a material that is repellent to the light emissive material [0040]. One of ordinary skill would understand that the repellent coating could be applied and then selectively removed from areas where it is desired that the light emissive material remain.

39. At the time of invention, it would have been obvious for a person having ordinary skill in the art to construct the Kobayashi ('835) device by applying the coating to said first underlying electrode and to the underlying region and selectively removing portions of the repellent coating on the first underlying electrode, so that the organic electroluminescent material is not deposited on the electrically conductive region.

40. **With regard to claim 13**, Kobayashi ('835) discloses all of the limitations, except it does not expressly disclose treating regions of the device such as to enhance wetting of the light emissive layer on the first electrode layer.

41. Shimoda, in figure 1D, teaches treating regions of the device such as to enhance wetting of the light emissive layer on the first electrode layer [0040].

42. At the time of invention, it would have been obvious for a person having ordinary skill in the art to construct the Kobayashi ('835) device by treating regions of the device such as to enhance wetting of the light emissive layer on the first electrode layer, as taught by Shimoda.

**43. Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi ('835) as applied to claims 1 and 9 above, in view of Goto, U.S. Patent Application Publication No. 2002/0063515 A1 and Hosokawa, U.S. Patent Application Publication No. 2002/0011783 A1.**

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44. **With regard to claim 4**, Kobayashi ('835) discloses all of the limitations, except it does not expressly disclose that organic light emissive material is formed in the second recess, and that the underlying electrically conductive region is formed with electrically conductive protuberances which extend through the thickness of the organic light emissive material, and the second electrode is electrically connected to said protuberances.

45. Goto, in figure 4(a) teaches an electroluminescent device having multiple recesses where the organic material (112) is formed in the second recess (S). One skilled in the art would understand that the Kobayashi ('835) device may be alternatively formed where the organic light emissive material may be coated over the entire device to form a monochromatic display (see Hosokawa, figures 6-8) with a single coating step making the manufacturing process simpler, where the organic light emissive material is formed in the second recess.

46. Further, Hosokawa, in figures 14 and 16(e), teaches an electrically conductive region (17, 19) connected to a second electrode (16) where that the electrically conductive region (17, 19) is formed with electrically conductive protuberances (17) which extend through the thickness of the organic light emissive material (24), and the second electrode (16) is electrically connected to said protuberances (17) [0141-0149].

47. At the time of invention, it would have been obvious for a person having ordinary skill in the art to construct the Kobayashi ('835) device where organic material is formed in the underlying conductive region and the underlying electrically conductive region is formed with electrically conductive protuberances which extend through the thickness of

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the organic light emissive material, and the second electrode is electrically connected to said protuberances, as taught by Hosokawa, so that the electrically conductive region and the second electrode form an excellent electrical connection.

48. **With regard to claim 14**, Kobayashi ('835) discloses all of the limitations, except it does not expressly disclose that organic light emissive material is formed in the second recess, and a method where the underlying electrically conductive region is formed with electrically conductive protuberances which extend through the thickness of the organic light emissive material, and the second electrode is electrically connected to said protuberances.

49. Goto, in figure 4(a) teaches an electroluminescent device having multiple recesses where the organic material (112) is formed in the second recess (S). One skilled in the art would understand that the Kobayashi ('835) device may be alternatively formed where the organic light emissive material may be coated over the entire device to form a monochromatic display (see Hosokawa, figures 6-8) with a single coating step making the manufacturing process simpler, where the organic light emissive material is formed in the second recess.

50. Further, Hosokawa, in figures 14 and 16(e), teaches an electrically conductive region (17, 19) connected to a second electrode (16) where that the electrically conductive region (17, 19) is formed with electrically conductive protuberances (17) which extend through the thickness of the organic light emissive material (24), and the second electrode (16) is electrically connected to said protuberances (17) [0141-0149].

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51. At the time of invention, it would have been obvious for a person having ordinary skill in the art to construct the Kobayashi ('835) device by a method where organic material is formed in the underlying conductive region and the underlying electrically conductive region is formed with electrically conductive protuberances which extend through the thickness of the organic light emissive material, and the second electrode is electrically connected to said protuberances, as taught by Hosokawa, so that the electrically conductive region and the second electrode form an excellent electrical connection.

**52. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi ('835) as applied to claim 1 above, in view of Goto.**

53. **With regard to claim 5,** With regard to claim 4, Kobayashi ('835) discloses all of the limitations, except it does not expressly disclose that organic light emissive material is formed in the second recess, and that the organic light emissive material has been damaged in an area thereof overlying the second conductive region, and the second electrode is electrically connected to the underlying conductive region through the damaged area.

54. Goto, in figure 4(a) teaches an electroluminescent device having multiple recesses where the organic material (112) is formed in the second recess (S). One skilled in the art would understand that the Kobayashi ('835) device may be alternatively formed where the organic light emissive material may be coated over the entire device to form a monochromatic display with a single coating step making the manufacturing process simpler, where the organic light emissive material is formed in the second recess.



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One would further understand that in such a device the organic material in the second recess can be simply removed (thus being damaged) so that the connection between the second electrode and the electrically conductive region can be formed.

55. At the time of invention, it would have been obvious for a person having ordinary skill in the art to construct the Kobayashi ('835) device by first forming the organic light emissive material in the second recess, as taught by Goto, and then damaging it (by removal) in an area overlying the underlying conductive region so the second electrode can be electrically connected to the underlying conductive region through the damaged area.

56. The Examiner notes that the claim limitation "has been damaged" is drawn to a process of manufacturing which is incidental to the claimed apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject product-by-process claim limitation has been considered, but not patentably distinct over Kobayashi and Goto (see MPEP 2113).

**57. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi ('835) as applied to claim 1 above, in view of Tyan, U.S. Patent No. 6,693,296 B1.**

58. **With regard to claim 6**, Kobayashi ('835) discloses all of the claim limitations, except it does not expressly disclose a first and a second light emissive structure, wherein for the first light emissive structure, the second overlying electrode layer is

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connected to the electrically conductive region, and for the second light emissive structure, the first underlying electrode layer is connected to the electrically conductive region, whereby the light emissive structures are electrically connected in series.

59. Tyan, in figure 3, teaches an electroluminescent device having a first (36) and a second (34) light emissive structure, wherein for the first light emissive structure, the second overlying electrode layer (66) is connected to the electrically conductive region, and for the second light emissive structure, the first underlying electrode layer (24) is connected to the electrically conductive region, whereby the light emissive structures are electrically connected in series (col. 8, line 50 – col. 9, line 43).

60. At the time of invention, it would have been obvious for a person having ordinary skill in the art to construct the Kobayashi ('835) device having a first and a second light emissive structure, wherein the second electrodes were not connected to each other and wherein for the first light emissive structure, the second overlying electrode layer is connected to the electrically conductive region, and for the second light emissive structure, the first underlying electrode layer is connected to the electrically conductive region, whereby the light emissive structures are electrically connected in series, as taught by Tyan, to minimize power loss.

61. **With regard to claim 7**, in figure 3, Tyan teaches that a common layer (24) provides the electrically conductive region underlying the first light emissive structure and the first electrode layer of the second light emissive structure(col. 8, line 50 – col. 9, line 43).

62. **With regard to claim 8**, in figure 3, Tyan teaches that the electroluminescent device includes at least one further said light emissive structure (32) connected in series with the first and second light emissive structures (col. 8, line 50 – col. 9, line 43)..

### ***Response to Arguments***

63. Applicant's arguments have been fully considered, but are moot in view of the new grounds for rejection.

### ***Conclusion***

64. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Hollweg whose telephone number is (571) 270-1739. The examiner can normally be reached on Monday through Friday 7:30am-5:00pm E.S.T..

65. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

66. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TH/

/NIMESHKUMAR D. PATEL/

Supervisory Patent Examiner, Art Unit 2879